

**REMARKS**

Claims 1-14 and 35-66 stand rejected, and claims 15-34 and 67-73 are withdrawn from consideration as being directed to a non-elected invention.

Preliminarily, Applicants respectfully request the Examiner to examine claim 67 together with claims 1-14 and 35-66 as indicated in paragraphs 3 and 4 at page 2 of the Office Action.

Also, Applicants respectfully request Examiner to return initialed Form SB/08 for the Information Disclosure Statement filed May 9, 2005 and January 8, 2009. Copies of the respective Forms SB/08 are attached hereto for the Examiner's convenience.

The amendment defining the content of HF, etc., in claim 1 is based on original claims 7 and 10; and further finds support at page 57, line 17 - page 58, line 9 and page 59, lines 1-6 of the specification; and by reference to the Examples. The amendment changing the transitional language "comprises" to "consisting essentially of" is based on the Examples. The amendment defining "free of water" is based on Example 81. The amendment changing "fluorine-containing organic compounds" to "hydrofluoroethers or hydrochlorofluorocarbons" in claim 42 is based on original claim 50 and page 91, lines 13-23 of the specification.

Claims 9, 10, 12, 40-42, 44, 45, 50 and 58-66 have been amended to conform with the above-noted claimed amendments. Claims 7, 13, 43, 46 and 68-73 have been canceled.

Applicants reserve the right to file a divisional application directed to the non-elected and/or canceled subject matter.

Entry of the amendments and review and reconsideration on the merits are requested.

Claims 1-14 and 35-66 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 7,052,627 to Kezuka et al. Claims 1-14 and 35-66 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 6,642,352 to Suzuki et al. Claims 1-14 and 35-66

were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. 2001/0038976 to Tanabe et al. Claims 1-14 and 35-66 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 6,250,317 to Nakayama. Claims 1-14 and 35-66 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,905,063 to Tanabe et al. The Examiner considered each of the applied references as meeting all of the terms of the rejected claims.

Applicants traverse, and respectfully request the Examiner to reconsider in view of the amendment to the claims and the following remarks.

A. Section 102 rejection over Kezuka (U.S. Patent No. 7, 052,627)

(1) The Examiner states that Claims 1-14 and 35 -66 are rejected under 35 U.S.C. § 102(e) as being anticipated by Kezuka.

(2) The use of “fluoride salts” is essential to Kezuka because an etching solution containing HF such as buffered fluoric acids cannot etch doped oxide films and undoped oxide films at the same rate (col. 1, lines 21-28 of Kezuka). That is, the use of HF cannot provide the effects of Kezuka. For this reason, Kezuka clearly excludes the use of HF.

The Examiner states that Kezuka discloses the inclusion of HF with reference only to “hydrogen fluoride” of “ammonium hydrogen fluoride”, “hydrogen fluoride salt”, etc.; however, such understanding is completely in error. Fluoride salt is a different substance from HF. This is clear from the fact that the problem of Kezuka can be solved using fluoride salt, but cannot be solved using HF. Thus, Kezuka neither describes nor suggests the inclusion of HF. This is also clear from the fact that Kezuka teaches the exclusion of HF.

Therefore, the present invention, in which the use of HF is essential, is neither anticipated nor obvious over Kezuka, which excludes HF.

(3) The present invention excludes the use of fluoride salts, as well as the use of substances that generate fluoride salts by reaction with HF. Accordingly, the present invention is neither anticipated nor obvious over Kezuka, which uses fluoride salts.

B. Section 102 rejection over Suzuki (U.S. Patent No. 6,642,352)

(1) The Examiner states that claims 1-14 and 35-66 are rejected under 35 U.S.C. § 102(b) as being anticipated by Suzuki.

(2) Suzuki relates to a curable composition, which is different from the removing solution and cleaning solution of the present invention.

The Examiner seems to reject the invention only because Suzuki discloses fluoric acids, acetic acids, etc.; however, this is unreasonable. First, SiN films and other films cannot be etched on substances that are cured, as disclosed in Suzuki. It is thus clear that the curable composition of Suzuki cannot be the removing solution and cleaning solution of the present invention.

(3) In fact, the present invention excludes substances that form curable compositions, such as siloxane, represented by formulae (1) and (2) of Suzuki.

(4) In light of the above, the present invention is neither anticipated nor obvious over Suzuki.

C. Section 102 rejection over Tanabe '976 (U.S. Patent Application Publication No. US 2001/0038976 A1)

(1) The Examiner states that claims 1-14 and 35-66 are rejected under 35 U.S.C. §102(b) as being anticipated by Tanabe '976.

(2) The Examiner appears to reject the invention only because Tanabe '976 discloses "hydrofluoric acid" (paragraph [0003]). In contrast, the "other carboxyl group-containing

organic compounds” are added to a rinsing solution for rinsing a substance which has been treated with a remover solution (claim 1, paragraph [0001], etc.).

Therefore, Tanabe ‘976 neither states nor suggests that the “hydrofluoric acid” and “other carboxyl group-containing organic compounds” are added to one solution.

(3) Accordingly, the present invention is neither anticipated nor obvious over Tanabe ‘976.

D. Section 102 rejection by Nakayama (U.S. Patent No. 6,250,317)

(1) The Examiner states that claims 1-14 and 35-66 are rejected under 35 U.S.C. § 102(b) as being anticipated by Nakayama.

(2) Nakayama neither describes nor suggests the inclusion of HF. Rather, the inclusion of fluorinated compound is nowhere mentioned.

(3) Thus, the present invention is neither anticipated nor obvious from Nakayama.

E. Section 102 rejection by Tanabe ‘063 (U.S. Patent No. 5,905,063)

(1) The Examiner states that claims 1-14 and 35-66 are rejected under 35 U.S.C. § 102(b) as being anticipated by Tanabe ‘063.

(2) The Examiner considered that Tanabe ‘063 discloses hydrofluoric acid with reference only to hydrofluoric acid of a “salt composed of hydrofluoric acid and a base” (claim 1). This is similar to the rejection over Kezuka, and is unreasonable.

(3) The present claims are patentable over Tanabe ‘063 for the same reasons that the present claims are patentable over Kezuka. Namely, the “salt composed of hydrofluoric acid and a base” is different from “HF”, and the present invention excludes fluoride salt and substances that generate fluoride salt by reaction with HF.

(4) Tanabe '063 cites problems in that a solution containing hydrofluoric acid is unsafe for the human body and easily decomposes peripheral devices. That is, Tanabe '063 completely excludes the use of HF.

For the above reasons, it is respectfully submitted that the claims as amended herein are neither anticipated nor obvious over the cited references, and withdrawal of the foregoing rejections is respectfully requested.

In the event that the Examiner believes that it may be helpful to advance the prosecution of this application, the Examiner is invited to contact the undersigned at the local Washington, D.C. telephone number indicated below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



---

Abraham J. Rosner  
Registration No. 33,276

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER

Date: March 31, 2009

Substitute for Form 1449 A &amp; B/PTO.

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Date if Known

Application Number	10/525,249
Confirmation Number	Not Yet Assigned
Filing Date	February 22, 2005
First Named Inventor	Mitsushi ITANO
Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	Q86398

Sheet 1 of 1

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
		Number	Kind Code <sup>2</sup> (if known)		
		US 6,150,282		11-21-2000	RATH et al.
		US 6,265,309	B1	07-24-2001	GOTOH et al.

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Translation <sup>6</sup>
		Country Code <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)			
		JP	1-146331		06-08-1989	MATSUSHITA ELECTRIC CO LTD	Abstract
		JP	7-302744		11-14-1995	TOSHIBA KK; TOSHIBA MICROELECTRONICS KK	Abstract
		JP	10-50647		02-20-1998	SAMSUNG ELECTRONICS CO LTD	Abstract
		JP	11-340183		12-10-1999	MORITA KAGAKU KK; NIPPON TEXAS INSTR KK	Abstract
		JP	2000-56479		02-25-2000	SHOWA DENKO KK	Abstract
		WO	01/29284	A1	04-26-2001	ARCH SPECIALTY CHEMICALS, INC.	
		WO	01/33613	A2	05-10-2001	SUPERCritical SYSTEMS, INC.	
		WO	01/74985	A1	10-11-2001	3M INNOVATIVE PROPERTIES COMPANY	
		JP	3255551		11-30-2001	TOKYO OHKA KOGYO CO LTD	Abstract
		JP	2001-330970		11-30-2001	DAIKIN INDUSTRIES, LTD.	
		JP	2002-110632		04-12-2002	SONY CORP	Abstract
		EP	1 277 830	A1	01-22-2003	DAIKIN INDUSTRIES, LTD.	

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	Translation <sup>6</sup>

Examiner Signature

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kind Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov), MPEP 901.04 or in the comment box of this document. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST. 3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to indicate here if English language Translation is attached.

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Not for submission under 37 CFR 1.99)

Application Number	10/525,249
Filing Date	August 8, 2005
First Named Inventor	Mitsushi ITANO
Art Unit	1796
Examiner Name	Gregory E. WEBB
Attorney Docket Number	Q86398

## **U.S. PATENTS**

Examiner Initials*	Cite No	Patent Number	Kind Code <sup>1</sup>	Issue Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1					

## **U.S. PATENT APPLICATION PUBLICATIONS**

Examiner Initials*	Cite No	Publication Number	Kind Code <sup>1</sup>	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	1					

## **FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No	Foreign Document Number <sup>3</sup>	Country Code <sup>2</sup>	Kind Code <sup>4</sup>	Publication Date	Name of Patentee or Applicant of cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>5</sup>
	1	2002-169305	JP	A	2002-06-14	DAINIPPON SCREEN MFG CO LTD		Abstract

## **NON-PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city, and/or country where published.	T <sup>5</sup>
	1		

## **EXAMINER SIGNATURE**

Examiner Signature	Date Considered